

#771/D 7/10/02

PTO/SB/26 (10-00)

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REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

501.34424CX1

In re Application of: H. MARUYAMA, et al
Application No.: 09/311,952
Filed: May 18, 1999
For: COMPUTER SYSTEM HAVING A PLURALITY OF COMPUTERS EACH PROVIDING
A SHARED STORAGE ACCESS PROCESSING MECHANISM FOR CONTROLLING
LOCAL/REMOTE ACCESS TO CHARED STORAGE DEVICE (Amended)

The owner, See Attachment, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,935,205. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.


Signature

6/26/2002
Date

Carl L. Brundidge, Reg. No. 29,621
Typed or printed name

☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: H. MURAYAMA, et al

Serial No.: 09/311,952

Filed: May 18, 1999

For: COMPUTER SYSTEM HAVING A PLURALITY OF COMPUTERS EACH PROVIDING A SHARED STORAGE ACCESS PROCESSING MECHANISM FOR CONTROLLING LOCAL/REMOTE ACCESS TO SHARED STORAGE DEVICE (AMENDED)

Group: 2152

Examiner: H. Nguyen

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SUBMISSION OF TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

June 26, 2002

Sir:

Attached is a Terminal Disclaimer submitted in an effort to place this application in condition for allowance.

Accordingly, early allowance of claims 88-103 is respectfully requested.

To the extent necessary, applicants petition for an extension of time under 37 C.F.R. section 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (Case No. 501.34424CX1) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

Carl I. Brundidge
Registration No. 29,621
ANTONELLI, TERRY, STOUT & KRAUS, LLP

CIB/jdc
703/312-6600

Addendum

Name of disclaiming owner:

HITACHI, LTD., as per the Assignment recorded on Reel 9822 and Frame 0758



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